

08-10-05

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EV 549569710 JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. .... 10/789,391  
Filing Date ..... February 28, 2004  
Inventor..... Craig L. Shaber  
Assignee..... Wagstaff, Inc.  
Group Art Unit ..... 1725  
Examiner ..... Len Tran  
Attorney's Docket No. ..... WA40-030  
Customer No. ..... 021567  
Title..... DIRECT CHILLED METAL CASTING SYSTEM

PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 C.F.R. § 1.313(c)(2) FOR  
CONSIDERATION OF A REQUEST FOR CONTINUED EXAMINATION IN  
COMPLIANCE WITH 37 C.F.R. § 1.114

To: Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Mark W. Hendrickson (Tel. 509-624-4276; Fax 509-838-3424)  
Wells St. John P.S.  
601 W. First Avenue, Suite 1300  
Spokane, WA 99201-3828

PETITION

Applicant hereby petitions for withdrawal of this application pursuant to 37 C.F.R. § 1.313(c)(2).

PATENT ISSUE FEE

The issue fee for this case was paid on July 12, 2005. The date the patent is scheduled to issue is unknown.

**REASON FOR WITHDRAWAL REQUEST**

Applicant hereby petitions the Commissioner to withdraw this case from issue for consideration of a request of continued examination in compliance with 37 C.F.R. § 1.114.

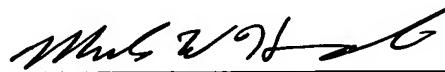
The request for continued examination is submitted herewith. The request for continued examination is accompanied by a Supplemental Information Disclosure Statement, and references which Applicant requests be considered in determining the patentability of the claims. The undersigned became aware of the listed references only within the last few days. To insure compliance with Rule 56, Applicant hereby submits this Petition. It seems prudent to reopen prosecution so that the references can be appropriately considered by the Examiner, and for this reason Applicant believes withdrawal of the application from issue is appropriate.

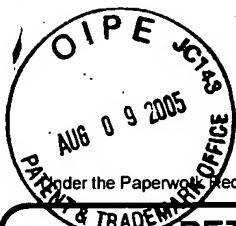
**PETITION FEES**

A petition fee of \$130.00, as required under 37 C.F.R. § 1.17(h), is submitted herewith.

Respectfully submitted,

Dated: 8-9-05

By:   
Mark W. Hendrickson  
Reg. No. 32,356



EV549569710

PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FEE**

**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/789,391
Filing Date	February 28, 2004
First Named Inventor	Craig L. Shaber
Art Unit	1725
Examiner Name	Len Tran
Attorney Docket Number	WA40-030

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 23-0925:  
 petition fee under 37 CFR 1.17(f), (g) or (h)  any deficiency of fees and credit of any overpayments  
 Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$ 525.00 is enclosed. (Check #147339)

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

§ 1.53(e) - to accord a filing date.  
 § 1.57(a) - to accord a filing date.  
 § 1.182 - for decision on a question not specifically provided for.  
 § 1.183 - to suspend the rules.  
 § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.  
 § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

§ 1.12 - for access to an assignment record.  
 § 1.14 - for access to an application.  
 § 1.47 - for filing by other than all the inventors or a person not the inventor.  
 § 1.59 - for expungement of information.  
 § 1.103(a) - to suspend action in an application.  
 § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.  
 § 1.295 - for review of refusal to publish a statutory invention registration.  
 § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.  
 § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.  
 § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.  
 § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.  
 § 5.12 - for expedited handling of a foreign filing license.  
 § 5.15 - for changing the scope of a license.  
 § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.  
 § 1.84 - for accepting color drawings or photographs.  
 § 1.91 - for entry of a model or exhibit.  
 § 1.102(d) - to make an application special.  
 § 1.138(c) - to expressly abandon an application to avoid publication.  
 § 1.313 - to withdraw an application from issue.  
 § 1.314 - to defer issuance of a patent.

Signature

Mark W. Hendrickson

Typed or printed name

8-9-05

Date

32,356

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.